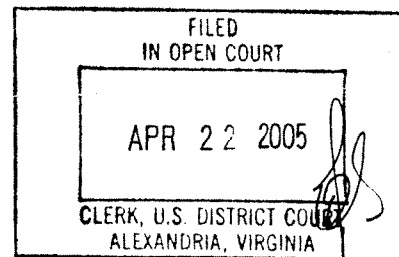


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



UNITED STATES OF AMERICA)

v.)

ZACARIAS MOUSSAOUI,)
Defendant)

Criminal No. 01-455-A

Statement of Facts

If this case were to go to trial, the Government would prove the following facts beyond a reasonable doubt:

1. Al Qaeda was an international terrorist group dedicated to opposing the United States with force and violence. Usama Bin Laden was the founder and head of al Qaeda. The leadership of al Qaeda included Abu Hafs al Masri, who served as the head of al Qaeda's military committee. Since 1996, al Qaeda maintained headquarters in Afghanistan. Members of al Qaeda pledged *bayat* to Usama Bin Laden and al Qaeda. Al Qaeda associated with other terrorist groups.

2. Usama Bin Laden and al Qaeda declared a *jihad* against the United States. Bin Laden and members of al Qaeda issued *fatwahs* indicating that violent attacks on the United States and its citizens were both proper and necessary and that Muslims should kill Americans - including civilians - anywhere in the world, anytime.

3. Usama Bin Laden and al Qaeda provided and supported training camps and guesthouses in Afghanistan, including camps known as al Farooq and Khalden. These camps were used to instruct members and associates of al Qaeda and its affiliated groups in the use of firearms, explosives, chemical weapons, and other weapons of mass destruction.

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4. Defendant Zacarias Moussaoui, who also used the names "Abu Khaled al Sahrawi" and "Shaquil," became a member of al Qaeda and pledged *bayat* to Bin Laden, Moussaoui's "father in jihad."

5. Moussaoui trained at al Qaeda's Khalden Camp in Afghanistan.

6. Moussaoui managed an al Qaeda guesthouse in Kandahar. This was a position of high respect within al Qaeda. Moussaoui communicated directly with Bin Laden and Abu Hafs al Masri.

7. As part of its conspiracy to attack the United States, al Qaeda members conceived of an operation in which civilian commercial airliners would be hijacked and flown into prominent buildings, including government buildings, in the United States. To effect this attack, al Qaeda associates entered the United States, received funding from abroad, engaged in physical fitness training, and obtained knives and other weapons with which to take over airliners. Some al Qaeda associates obtained pilot training, including training on commercial jet simulators, so they would be able to fly hijacked aircraft into their targets.

8. Bin Laden personally approved those selected to participate in the operation, who were willing to die in furtherance of their religious beliefs and al Qaeda's agenda.

9. Moussaoui knew of al Qaeda's plan to fly airplanes into prominent buildings in the United States and he agreed to travel to the United States to participate in the plan. Bin Laden personally selected Moussaoui to participate in the operation to fly planes into American buildings and approved Moussaoui attacking the White House. Bin Laden told Moussaoui: "Sahrawi, remember your dream."

10. An al Qaeda associate provided Moussaoui with information about flight schools

in the United States. In September 2000, Moussaoui, who was in Malaysia, contacted the Airman Flight School in Norman, Oklahoma, via email, seeking flight training. Moussaoui intended to use his training as a pilot in furtherance of al Qaeda's plan to use planes to kill Americans.

11. Moussaoui trained in knife fighting in Afghanistan.

12. On February 23, 2001, Moussaoui traveled from London to Chicago and then on to Norman, Oklahoma, where he attended the Airman Flight School and received training as a pilot. At the Airman Flight School, Moussaoui received training as a pilot of smaller planes. In Summer 2001, an al Qaeda associate directed Moussaoui to attend training for larger jet planes.

13. While in Oklahoma, Moussaoui joined a gym and bought knives. Moussaoui selected certain knives because they had blades short enough to get past airport security.

14. In early August 2001, an al Qaeda conspirator using the alias of "Ahad Sabet," wire transferred money from Germany to Moussaoui in Oklahoma so Moussaoui could receive additional flight training.

15. In August 2001, Moussaoui traveled to Minnesota where he trained on a Boeing 747-400 simulator at the Pan Am International Flight Academy in Eagan, Minnesota. Moussaoui told an al Qaeda associate that he would complete simulator training before September 2001.

16. On August 16, 2001, Moussaoui was arrested in Minnesota by agents of the INS and the FBI. At the time of his arrest, Moussaoui possessed the following items:

- two knives;
- flight manuals for the Boeing 747 Model 400;
- a flight simulator computer program;
- fighting gloves and shin guards;
- a piece of paper referring to a handheld Global Positioning System;

- software that could be used to review pilot procedures for the Boeing 747 Model 400; and
- a hand-held aviation radio.

After his arrest, Moussaoui lied to federal agents to allow his al Qaeda "brothers" to go forward with the operation to fly planes into American buildings. Specifically, Moussaoui falsely denied being a member of a terrorist organization and falsely denied that he was taking pilot training to kill Americans. Instead, Moussaoui told federal agents that he was training as a pilot purely for his personal enjoyment and that, after completion of his training, he intended to visit New York City and Washington, D.C., as a tourist.

17. On September 11, 2001, al Qaeda operatives used force and violence to hijack American Airlines Flight 11, bound from Boston to Los Angeles, and crashed it into the North Tower of the World Trade Center in New York City, destroying the building and killing thousands of people.

18. On September 11, 2001, al Qaeda operatives used force and violence to hijack United Airlines Flight 175, bound from Boston to Los Angeles, and crashed it into the South Tower of the World Trade Center in New York City, destroying the building and killing thousands of people.

19. The World Trade Center was a complex of buildings owned by the Port Authority of New Jersey/New York, which was constructed for the purpose of housing businesses engaged in interstate and foreign commerce. As a result of the crashes of American Airlines Flight 11 and United Flight 175, approximately 2,830 people died in or around the World Trade complex. Among those killed at the World Trade, the dead included 343 firefighters from the New York Fire Department, 37 law enforcement officers from the Port Authority of New Jersey/New York,

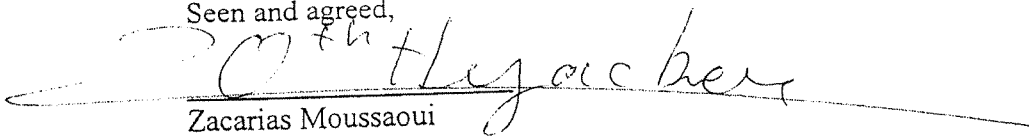
and 23 law enforcement officers from the New York City Police Department. World Trade Center Towers I (North Tower) and II (South Tower) were completely destroyed, as were other buildings in the World Trade Center complex. The destruction of these buildings resulted in the disruption of interstate and international commerce for those businesses located in the World Trade Center complex. Additionally, the offices of the U.S. Secret Service, the U.S. Customs Service, the Bureau of Alcohol, Tobacco, and Firearms, and the Department of Housing and Urban Development, all of which were housed in the World Trade Center complex, were destroyed.

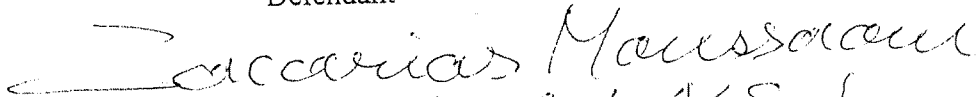
20. On September 11, 2001, al Qaeda operatives used force and violence to hijack American Airlines Flight 77, bound from Virginia to Los Angeles, and crashed it into the Pentagon, a United States government building, damaging the building and killing 189 people, many of whom were United States government employees, including employees of the United States Department of Defense, engaged in their official duties.

21. On September 11, 2001, al Qaeda operatives used force and violence to hijack United Airlines Flight 93, bound from Newark to San Francisco, which then crashed in Somerset County, Pennsylvania, killing all on board.

23. All four airplanes identified above were flying in the special aircraft jurisdiction of the United States at the time that they were hijacked and all were completely destroyed.

Seen and agreed,


Zacarias Moussaoui
Defendant


a/k/a Abu Kaled Al-Sahraoui
a/k/a Shaquill.
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